date, then the court, or the judges of such division, as the case may be, shall select a presiding judge from the judges thereof holding such commissions.

Section 5. In the event of the unavoidable absence or disqualification of any judge or judges of the St. Louis court of appeals, one or more circuit judges, as designated by the court, or a division thereof, shall be competent to sit in such court or division, for such time as the court or such division may by order direct. No circuit judge before whom a cause may have been heard or tried shall sit upon a hearing of the same in said court of appeals, if, in any case, said court of appeals, if, in any case, said court of appeals, if, in any case, said court of appeals, if circuit judge, or a lawyer possessing the qualifications of a judge of a court of appeal, or a circuit judge, or a lawyer possessing the qualifications of a judge of a court of appears, when designated by the court en banc, may sit in such cause as a special judge with, and be a member of the court en banc, in the determination of said cause.

Section 6. This amendment shall be self-enforcing and shall become operative from and after its adoption by the people, and it shall repeal all constitutional provisions and laws inconsistent therewith.

PROPOSITION NO. 13. REFERENDUM ORDERED BY THE PETITION OF THE PEOPLE.

PETITION OF THE PEOPLE.

House bill No. 335, enacted by fiftleth General Assembly. Prohibiting manufacture, sale, gift, advertisement or transportation of intoxicating liquors within, into or from this state, except under certain conditions; providing for search of intoxicating liquors unlawfully sold; declaring certain buildings or certain places used in unlawful manufacture of intoxicating liquors nuisances and giving right of abatement; giving persons injured by intoxicated persons right of action against illegal liquor sellers; regulating those who manufacture, sell or prescribe for athyl alcohol or wine; defining intoxicating illegal liquor sellers: regulating those who manufacture, sell or prescribe for othy alcohol or wine; defining intoxicating liquor and other words: providing for enforcement of said act and prescribing penatles for violation of same.

AN ACT prohibiting the manufacture ACT prohibiting the manufacture, sale, gift, advertisement or transportation of intoxicating liquors within, into or from the state of Missouri, except for certain purposes and under certain regulations; providing for search and seizure of intoxicating liquors uninwfully manufactured or sold; declaring certain buildings, structures and things used in the unlawful manufacture and sale of intoxicating liquors to be nuisances and giving the right of abstement; establishing the right of action in damage for injuries by intoxicated persons against illegal liquor sellers; prescribing additional duties for prosecuting attorneys, sheriffs and other law-enforcing officers; requiring perlaw-enforcing officers; requiring perprescribing additional duties for prose-cuting attorneys, sheriffs and other law-enforcing officers; requiring per-mits for manufacturers, sellers or phy-sicians who manufacture sell or write prescriptions for ethyl alcohol or wine and providing for the revocation of same; defining intoxicating liquors and other words and phrases; making em-ployes and agents responsible for viola-tion of this act by a corporation; de-claring intoxicating liquors illegally manufactured or sold to be contraband; fixing venue of cases under the act; and with penalities for violation; and providing when same shall be in force and effect.

Be it enacted by the General Assembly of the State of Missouri, as follows: Section 1. It shall be unlawful for any

Section 1. It shall be unlawful for any person, firm, association or corporation, his, its or their agents or employes, to manufacture, sell, give away or transport intoxicating liquors witin, import the same into, or export the same from the state of Missouri for beverage purposes, except as hereinafter provided.

Section 2. That the provisions of this act shall not be construed so as to prevent the manufacture, importation, exportation, or sale of denatured alcohol, or of cider for the purpose of making vinegar or non-intoxicating cider, or of denatured rum for use only in the industrial and mechanical arts, or of methylalcohol, or of ethyl alcohol in non-potable tollet, medicinal, antiseptic, culinary, or other non-beverage preparations, or of ethyl alcohol for scientific, pharmaceutical, mechanical, or industrial purposes, or to prevent the sale of ethyl alcohol or wine by pharmacists or druggists as provided herein for medicinal or sacramental purposes.

Section 3. It shall be unlawful for any person, firm, association, or corporation to manufacture or sell ethyl alcohol or

Section 3. It shall be unlawful for any person, firm, association, or corporation to manufacture or sell ethyl alcohol or wine within the state of Missouri for non-beverage purposes without a permit therefor as herein provided. All persons, firms or corporations desiring to manufacture or sell ethyl alcohol or wine shall file with the clerk of the county court of the county, in which such persons, firm or corporation resides or has his place of business, an application for a permit to manufacture or sell, (as firm or corporation resides or has his place of business, an application for a permit to manufacture or sell, cas the case may be) ethyl alcohol or wine, at least ten (10) days before the hearing thereon. Said application shall be in such form as may be prescribed by the attorney-keneral of Missouri. The said clerk of the county of the sattorney-keneral of Missouri term and if the indices of eath county court of said county at the case of the application are true, that the applicant is twenty-one (11) years of age and not addicted to the use of intoxicating liquors as a beverage, and that the applicant is of the sapplication are true, that the applicant is of good moral character and law-abiding, the said court may issue a permit to such applicant to manufacture or sell (as the case may be) ethyl nicohol or wine for a period of one year unless revoked or auspended as herein provided. Said permit shall be in such form as may be prescribed by the attorney-general of Missouri. Applicants shall pay to the county clerk for permits issued as above set out, the following fees, to wit: For each manufacturing permit the sum of fitty dollars (30.00); for each selling permit the sum of the dollars (10.00), and this sell-county treasurer. All holders of permits granted as herein provided, shall, on or before the 5th day of each month, for the colunty treasurer. All holders of permit splicated as herein provided, shall, on or before the 5th day of each month for the calendar month preceding, file a statement, verified by the oath of such permit holder, with the clerk of the county court of the county in which, such permit holder is engaged in business, showing the amount and kind of intoxicating fluors on hand at the end of said month. Section 8. It shall be unlawful for any of the amount and kind of intoxicating fluors on hand at the end of said month. Section 1. It shall be unlawful for any of Missouri, holders under this act, to sell give away, or otherwise dispose of ethyl alcohol or wine sace of a regularly registered

Section 5. It shall be unlawful for any physician, or pretended physician, in the state of Missouri, to make or issue any prescription to any person for ethyl alcome shall form a part without a permit therefor secured as herein provided. All physicians desiring to write prescriptions for ethyl alcohol or which such liquors shall form a part without a permit therefor ethyl alcohol or which for medicinal purposes shall file an application for a permit to so so with the clerk of the county court of the county in which such physicians desiring to missouri may prescribe and permits may be granted by the judges of the county court upon the same terms and under the same rules and conditions as they are rauthorized to grant permits to manufacture and sell ethyl alcohol or wine by this act. Applicants shall pay the county clerk for each permit issued at 100. All fees collected by the said (200). All fees collected by the said (200). All fees collected by the said (200). All fees collected by the said county clerk under this section shall be paid over monthly to the county treasure. It shall be unlawful for any physician, holding a permit as herein provided, to make or issue a prescription for ethyl alcohol or wine to any persons without a careful physical examination of the person is the prescribed. The ethyl alcohol or wine to any persons without the name of the person whom he has reason to believe will use such liquors for such liquors to a person whom he has reason to believe will use such liquors for such liquors to a person for whom such liquors are prescribed written thereon together with the name of the desage or malady for which such liquor is prescribed. The child parent, guardan, or other person in the state of Missouri, who shall be injured in person or property or means of support or otherwise by any intoxicated person by reason of the selling of intoxicating liquors in the said person or persons, or who have caused or contributed to the infoxication of said person or persons, or who have caused or contribut

now provided or may be provided for the enforcement of injunctions in this state.

Section 8. If the attorney-general or prosecuting attorney of any county in this state shall file a statement verified by outh with the cirk of the circuit court, or other court having criminal jurisdiction in the county, that he verily believes that in some building or structure, to be designated in said statement, in the said county, intextcating liquors are being manufactured or sold contrary to the provisions of this act, it shall be the duty of the sheriff of said county to enter said building or structure by force, if necessary, and remove therefrom any intoxicating liquors which he may find therein, and hold such liquors until all prosecutions for violating the provisions of this act by any person in said building are ended and determined. Any intoxicating liquors found in any such building and taken under the provisions of this section and not returned to the owner as herein set out shall be liable for all lines such liquor at said place contrary to the terms of this act, and such sheriffs shall dispose of said liquors, in some legal manner, and apply the proceeds thereof, if any, to the payment of such fines and costs. No warrant shall be issued to search a private dwelling occupied as such unless some part of it is used as a store or shop, hotel or boarding house, or for any other purpose than a private residence, or unless such residence is a place of public resort.

Section 5. In case the existence of any place where intoxicating liquors are manufactured or sold in violation of law is disclosed in any county in this such payed to the provisions of this act against such place as a nuisance. In any affidavit, information or indictment for the violation of this act, separate offenses may be united in separate counts and the defendant may be tried on all of the separate of the state to enforce the same lin such county, and for that purpose, he may appoint as many sasidavit, information or indictment and police men necessa

do and perform any act that the prosecuting atterney might lawfully do or perform.

Section 10. Sheriffs, deputy sheriffs,
marshals and chiefs of police and policemen of cities, towns and villages of this
state, constables and all other police
officers, are hereby authorized and directed to apprehend and arrest any person
or persons found violating any of the
provisions of this act, and to immediately file the necessary complaint for such
violation before the prosecuting attorney
of the county in which such violation of
the law occurs. If any sheriff, deputy
sheriff, marshal or chief of police or policeman, constable, or other police officer,
shall fail, refuse or neglect to discharge
any duty imposed upon him by this act,
such offending officer shall be removed
from office in the manner now provided
by law.

Section 11. If at any time there shall
be filed with the clerk of the circuit court
of the county in which a permit holder
under this act is authorized to manufacture, sell, or write prescriptions for intoxicating liquors a petition, signed by five
(5) citizens or the prosecuting attorney
of said county, setting forth that any
such permit holder is not, in good faith,
obeying the provisions of this act, or has
been convicted of a wiolation of the provisions of this act, or that such permit
holder is in the habit of using intoxicating liquors as a beverage, and request-

ing that the permit possessed by such permit holder to manufacture, sell or to write prescriptions for intoxicating liquors (as the case may be) be revoked, the judge of the said cieruit court shall order the said cierk of the circuit court to immediately issue a citation to such permit holder to appear before the said judge at the court house of said county on the first day of the next regular term of said circuit court after the date of such order, at which time said petition shall be heard and determined. If it is found that such permit holder is guilty of violating any of the provisions of this act, or had failed or neglected to file the monthly statements required by this act, or is in the habit of using intoxicating liquors as a beverage, then the said judge of the circuit court shall either suspend such permit for a definite period of time or shall revoke the same and render judgment for the costs of the proceeding against the permit holder; and if such permit holder shall have his permit revoked for a second time, such revocation shall act as a bar against the issuance of any other or further permit in the state of Missouri. In the event the permit holder shall be found innocent of the charges set out in any petition filed by citizens under this acction, judgment for costs of the proceeding shall be rendered against such citizens. The judge of the circuit court shall have power to subpoena witnesses and nequire the attendance of such witnesses in the determination of any such procedure under this section the same as in civil cases in his jurisdiction.

Section 12. It shall be unlawful for any person, firm or corporation to advertise intoxicating liquors in any manner in the state of Missouri: Provided, however, that manufacturers holding permits under this act may send price lists giving the prices and other information pertaining to ethyl alcohol and wines to holders of permits authorized to sell same.

Section 13. If any firm, corporation or association, shall volate any officer, agent, member or empl

same as though such officer, agent, member or employe bimself had committed the offense, and shall be subject to all fines, penalties and imprisonment therefor.

Section 14. All intoxicating liquors unlawfully manufactured, sold or transported are contraband and they and the containers thereof shall be forthwith sold as provided in section 8 of this act or destroyed whenever the proper judge or court shall hold such liquors to have been manufactured, sold or transported in violation of the law. No officer or person who destroys contraband liquor shall be liable for any damages for such an act.

Section 15. The phrases, "intoxicating liquor," or "intoxicating liquors," whenever used in this act, shall be construed to mean and include any distilled, malt, spirituous, vinous, fermented or alcoholic liquids whether proprietary, patented or not, which contain one-half of one per centum of alcoholic liquor, all alcoholic liquids whether proprietary, patented or not, which contain one-half of one per centum of alcoholic by volume and which are potable or capable of being used as a beverage: Provided, however, that when the above mentioned phrases, "intoxicating liquor," or such definition by constress shall supercede and take the place of the definition by constress shall supercede and take the place of the definition of said phrases in this section and shall apply to the provisions of this act and with the same force and effect as if the same were written herein.

Section 16. The phrase, "clerk of the circuit court," is shall be held to mean and include, for the purposes of this act, the clerks of the St. Louis court of criminal courts in counties of this state having fifty thousand population and in which have been or may be established therein separate criminal courts, and the prosecuting attorney is all be held to mean and include, for the purposes of this act, the clirk of the St. Loui purposes of this act, the clerk of the

The phrase. 'Clerk of county court.' shall be held to mean and include, for the purposes of this act, the clerk of the St. Louis court of criminal correction. The phrase, 'county court,' shall be held to mean and include, for the purposes of this act, the St. Louis court of criminal correction. The phrase 'circuit court' shall be held to mean and include, for the purposes of this act, the criminal courts in counties of this act, the criminal courts in counties of this state having fifty thousand population and in which have been or may be established therein separate criminal courts, and the St. Louis court of criminal correction. The circuit courts of this state, not having a separate criminal court therein, and the criminal court therein, and the criminal court in counties of this state having fifty thousand population and in which have been or may be established therein separate criminal court deriminal courts, and the St. Louis court of criminal courts, and the St. Louis court of criminal courts, and the St. Louis court of criminal courts, and the St. Louis court of the state having fifty thousand population and in which have been or may be established therein separate criminal courts, and the St. Louis court of any violation of the provisions of this act.

Section 17. Any person convicted of any violation of the provisions of this act shall, for the first conviction, be punished by a fine in a sum of not less than there (200,00), or by imprisonment in the county jail for a period of not less than three hundred dollars (\$100,00), or by imprisonment in the county jail for a period of not less than three (20), or provided the second and each subsequent conviction, such person shall be punished by a fine in a sum of not less than three (20), or by imprisonment in the county jail for a period of not less than three (20) months nor more th

PROPOSITION NO. 14.

REFERENDUM ORDERED BY THE

Committee substitute for Senate bill No. 389, enacted by the Fiftleth General Assembly, the purpose of which is to provide for a system of workmen's compensation, elective as to railroads and private employments, compulsory as to the state and other public employers unless their employes reject the act; defining the rights, duties and ilabilities of employers and employes electing to accept or reject the act, and of third persons in connection therewith; creating a workmen's compensation commission, defining its powers and duties and prescribing the rules and regulations relating to the enforcement and carrying out of said act.

AN ACT to provide a system of workmen's compensation, elective as to railroads and private employments, and
compulsory as to the state, its counties,
municipal corporations and other public employers unless their employes reject the act; prescribing the manner
of election and the effect thereof; defining the rights and liabilities of employers and employes electing to accept
or reject the act, and of third persons
in connection therewith; prescribing
the powers and duties of the commis-

sion and the courts in connection therewith: regulating the charges for medical aid, burial expenses and attorney's fees; prescribing the rights, duties and liabilities of the employer's insurer and regulating insurance rates, reserves and policies; regulating the rights of dependents, making certain minors of full age; providing for the giving and serving of notices thereunder; prescribing the manner of precedure and the limitation on proceedings thereunder; providing the means of enforcing awards and the manner and extent to which the same may be reviewed by the courts; creating the Missouri workmen's compensation commission to administer the act and prescribing its powers and duties; providing for the insurance of the liability of an employer for injury or death of his employes, by insurance carriers authorized to transact this class of insurance in the state or by self-insurance; providing a tax on insurance premiums to defray the expense of administering the act; repealing all acts or parts of acts inconsistent therewith; prescribing penalties for violations of certain of its provisions and fixing the time when certain of its provisions shall take effect; with an emergency clause.

Be it enacted by the General Assembly of the State of Missouri, as follows: Section 1. This act shall be known as the workmen's compensation act.

Section 2. Every employer and every employe, except as in this act otherwise provided, shall be conclusively presumed to have accepted all of the provisions of this act and respectively to furnish and accept compensation as herein provided, unless prior to the accident he shall have filed with the commission a written notice that he elects to reject this act. The presumption of election shall be re-established by filing with the commission a written hotice withdrawing the rejection. All such notices shall take effect on the day of their receipt by the commission. They may be sent by mail and the commission shall immediately acknowledge receipt thereof. The notice given by the employe shall take effect upon all employments at which he may then or thereafter be employed until the rejection is withdrawn, and on application the commission shall inform any employer thereof. The employe shall also immediately inform his employer of all such notices, and the same shall not operate as to any employer until the employer rejecting the act a notice thereof, which the employer shall keep posted in a conspicuous piace on his premises where it can be seen by his employes.

Section 2. If both employer and employer shall keep nosted in a conspicuous piace on his premises where it can be seen by his employees.

Section 3. If both employer feet can be seen by his employees.

Section 4. If both employer and employe have elected to accept the provisions of this act for personal injury or death of the employe by accident arising out of and in the course of his employment, and shall be released from all other liability therefor whatsoever, whether to rights and remedies herein granted to an employe shall exclude all other rights and remedies herein granted to an employe shall exclude all other rights and remedies herein granted to an employe shall exclude all other rights and remedies herein granted to an employer of the employer.

Section 4. If the employe has assumed the risk of the injury or death of his employement, and on the e ment unless such employes and their employers voluntarily elect in the manner herein sepecified to be bound by this act. Any employer in this section exempted from the operation of sections two, three and four of this act, may bring himself within the provisions of the act by filing with the commission notice of his election to accept the same, and any employe thereafter entering the service of such employer, and any employer remaining in such service thirty days after such election, shall be conclusively presumed to have elected to accept this act unless he shall have filed with the commission and his employer a written notice that he elects to reject the same.

Section 6. The word "employer" as used in this act shall be construed to mean

used in this act shall be construed to mean

(a) Every person, partnership, association, corporation, trustee, receiver, and every other person, including any person or corporation operating a railroad, and any public service corporation, using the service of another for pay, and

(b) The state and every county, municipal corporation, township, school, road, drainage, swamp and levee district, school board, board of education, regents, curators, managers, or control, commission, board and every other political subdivision, corporation or quasi-corporation thereof, all of which public employers are hereby made liable to furnish compensation under the provisions of this act for personal injury or death of their employes by accident arising out of and in the course of their employment, without the right of such public employers to elect to reject the provisions of this act, but such liability shall not exist if the employe elects to reject this act.

(c) Any reference to the employer shall also include his insurer.

right of such public employers to elect to reject the provisions of this act, but such liability shall not exist if the employe elects to reject this act.

(c) Any reference to the employer shall also include his insurer.

Section 7. (a) The word "employe" as used in this act shall be construed to mean every person in the service of any employer as defined in this act, under any contract of hire, express or implied, oral or written, but shall not include persons whose average annual earnings exceed three thousand dollars, nor officials of political subdivisions. Any reference to any employe who has been injured, shall, when the employe is dead, also include his personal representatives, dependents, and other persons to whom compensation may be puyable. The word employes shall also include all minor employes, and all such minor employes are hereby made of full age for all purposes under, in connection with or arising out of this act.

(b) The word "accident" as used in this act shall, unless a different meaning is clearly indicated by the context, be construed to mean an unexpected or unforseen event happening suddenly and violently, with or without human fault and producing at the time objective symptoms of an injury. The terms "injury" and "personal injuries" shall mean only violence to the physical structure of the body and such disease or infection as naturally results therefrom. The said terms shall in no case be construed to include occupational disease in any form, or any contagious or infectious disease contracted during the course of employment, or death due to natural causes but courring while the workman is at work. "Death" when mentioned as a basis for the right to compensations means only death resulting from such violence and its resultant effects occurring within three hundred and fifty weeks after the abridged clause, "personal injuries arising out of and in the course of employment," it is hereby declared not to cover workmen except while engaged in, on or about the premises where their duties a

during the hours of service as such work-

Section 8. Nothing in this act shall be construed as amending or repealing any statute or ordinance relating to associations or funds for the relief, pensioning, retirement, or other benefit of firement policemba. However, the properties of the pensioning of the pensioning of the pensioning of the pensioning of the pension any manner interfering with such associations, funds or benefits, now or hereafter established, but any such public employe, his widow, children or dependents, who shall receive compensation under this act shall have deducted my pension or other benefit fund to which the municipal corporation or other public employer contributes, a part of such benefit proportionate to the amount then being contributed to such fund by such employer. Which deductions shall be more shall anything in this act be construed as interfering with the right of any public employe to draw full wargs, or collect and retain his full fees, so long as he holds his office, appointment or employment, but the period during which the same are recorded to the period of compensation payments due hereunder.

Section 9. In case any employe for whose injury or death compensation is payable under this act shall, at the time of the injury, be employed and padd ionity by two two more employers subject tribute the payment of such compensation in the proportion of their several ware liability to such employer was subject to liability for compensation or more but not all of such employers should be subject to this act, and otherwise subject to liability for compensation or more but not all of such employers should be subject to the full prevent any arrangement between such employers for a different distribution, as between themselves of the utility and the compensation which their proportionation in this section shall prevent any arrangement between such employers of a different distribution, as between themselves of the utility, but the relationships of landlord and tenant, and essentially the propose of the tenant or lesses which is an

of this state under contract of employment made in this state, unless the constant made in this state, unless the constant of the case shall otherwise and in any such case shall otherwise and in any such case shall otherwise and the compensation, the employe shall receive such medical, sursical and hospital treatment, including nursing, ambulance and medicines as may reasonably be required for the first eight weeks after the injury or disability, to cure and relieve from the effects of the injury, and not exceeding the amount of two hundred dollars. If the employe desires, he shall have the right to select his own physician, surgeon or other such requirement at his own expense. Where such requirements are furnished by a public hospital or other institution, payment therefor shall be made to fit be shown to the commission that such requirements are being furnished in guch manner that there is reasonable ground for believing that the life, health, or recovery of the employe is endangered thereby, the commission may order a change in the physician, surgeon, hospital or other requirement.

(c) All fees and charges under this section shall be fair and reasonable, shall be subject to regulation by the commission, and shall be limited to such as are fair and reasonable for similar treatment of injured persons of a like standard of living. The commission shall also have jurisdiction to hear and determine all disputes a to such a subject to regulation by the commission, and shall be fair and reasonable for the death or disability of an employe, if and in so far as the same may be caused, continued or aggravated by an unreasonable refusal to such as a result of an oppration of the commission, inconsiderable in view of the seriousness of the injury, such death shall be deemed to be caused by the injury such death of the such as a result of an oppration of the commission, the employe shall be admissibility in the such as a result of an oppration of the employe of the seriousness of the injury, such death of the situation o

not to exceed, however, twelve dollars per week.

Section 17. (a) For permanent partial diability, in addition to all other compen-sation, the employer shall pay to the employe 66% per cent of his average earnings as computed in accordance with section 22, but not less than six dollars nor more than fifteen dollars per wek, for the period hereinafter provided:

I Loss of minor arm at shoulder... 259
2 Loss of minor arm at shoulder... 259
2 Loss of minor arm at shoulder... 250
3 der and elbow... 250
4 Loss of minor arm between shoulder... 250
5 Loss of minor arm at elbow joint. 250
5 Loss of minor arm at elbow joint. 250
6 Loss of minor arm at elbow joint. 250
8 Loss of minor arm at elbow joint. 250
8 Loss of minor arm at elbow joint. 250
10 Loss of minor hand at the wrist in joint. 250
11 Loss of minor hand at the wrist in joint. 250
12 Loss of thumb of minor hand at the proximal joint may be a should be a sh